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DAC
Patent Application
Docket No.: GSF97-03



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Walter H. Günzburg, David Winder and Robert Saller
Application No.: N/A
Filed: September 8, 1997
For: VECTORS CARRYING THERAPEUTIC GENES ENCODING
ANTIMICROBIAL PEPTIDES FOR GENE THERAPY

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>3/3/98</u>	<u>Karen DiRocco</u>
Date	Signature
<u>KAREN DIRORCO</u>	
Typed or printed name of person signing certificate	

Petition Under 37 C.F.R. § 1.181

Assistant Commissioner for Patent and Trademarks
BOX DAC
Washington, DC 20231

Sir:

In accordance with 37 C.F.R. §1.10(a) the referenced application was mailed via the Express Mail Procedure to the U. S. Patent and Trademark Office (PTO) on September 8, 1997. Beginning December, 1997, periodic phone calls were made to the Office of Initial Patent Examination (OIPE) in an attempt to obtain the assigned application number, however, on each occasion, the undersigned attorney was advised

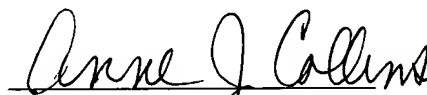
that the Office still had a backlog of applications to be processed. However, by February 1998, since we had not received the postcard receipt date stamped by the Patent Office indicating that the application had been received, another conversation was held with Kathleen Kirik, Office of IPE. It was determined that this application has not been processed, nor could it be located.

The application is a Continuation of PCT/EP96/01001, filed March 8, 1996, and was filed in the U.S. under the provisions of 37 C.F.R. 1.53(b) on September 8, 1997. Since Applicants had timely filed the subject application in accordance with 37 C.F.R. § 1.10 (a), Applicants are petitioning the Commissioner to grant a filing date of September 8, 1997 and assign an application number to the subject application.

In support of the Petition to grant a filing date of September 8, 1997, a copy of the Express Mail label is enclosed herewith. The label has a handwritten date of September 8, 1997 thereon and a stamp of September 8, 1997 affixed by the U.S. Postal Service. A copy of the subject application is enclosed consisting of a Transmittal fee letter (2 pages); Specification (pages 1-27); Claims (pages 28-34); Abstract (page 35); and Informal Figures (16 sheets) and two postcard receipts.

Based upon the facts presented above, Applicants believe that the fee for filing the Petition is not due. However, should the Patent Office deem that fees are due for filing this Petition, authorization is hereby granted to charge Applicants' Attorney's Deposit Account No. 08-0380 for any such fees. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,



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Lexington, Massachusetts 02173

Dated: *March 3, 1998*